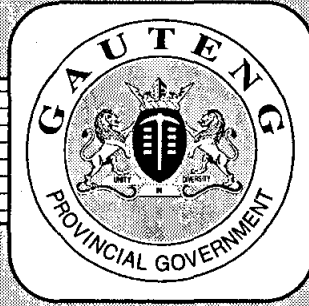


**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

Selling price • Verkoopprys: **R2,50**
Other countries • Buitelands: **R3,25**

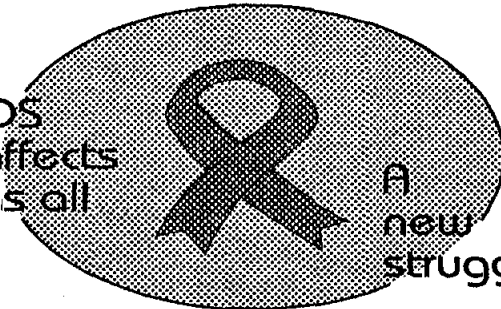
Vol. 11

PRETORIA, 17 NOVEMBER 2005

No. 488

We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

Prevention is the cure

**AIDS
HELPLINE**

0800 012 322

DEPARTMENT OF HEALTH

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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 2890

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

AKASIA-SOSHANGUVE AMENDMENT SCHEME 0211A

It is hereby notified in terms of the provisions of section 125(1) of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that the City of Tshwane Metropolitan Municipality has approved an amendment scheme with regard to the land in the township of Ninapark Extension 36, being an amendment of the Akasia/Soshanguve Town-planning Scheme, 1996.

Map 3 and the scheme clauses of this amendment scheme are filed with the Acting General Manager: Legal Services, and are open to inspection during normal office hours.

This amendment is known as Akasia-Soshanguve Amendment Scheme 0211A.

(13/2/Ninapark x36 (0211A))
 __ November 2005

Acting General Manager: Legal Services
 (Notice No 1010/2005)

PLAASLIKE BESTUURSKENNISGEWING 2890

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT

AKASIA-SOSHANGUVE WYSIGINGSKEMA 0211A

Hierby word ingevolge die bepalings van artikel 125(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), bekend gemaak dat die Stad Tshwane Metropolitaanse Munisipaliteit 'n wysigingskema met betrekking tot die grond in die dorp Ninapark Uitbreiding 36, synde 'n wysiging van die Akasia/Soshanguve dorpsbeplanningskema, 1996, goedgekeur het.

Kaart 3 en die skemaklousules van hierdie wysigingskema word deur die Waarnemende Hoofbestuurder: Regsdienste, in bewaring gehou en lê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as Akasia-Soshanguve-wysigingskema 0211A.

(13/2/Ninapark x36 (0211A))
 __ November 2005

Waarnemende Hoofbestuurder: Regsdienste
 (Kennisgewing No 1010/2005)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

DECLARATION OF NINAPARK EXTENSION 36 AS APPROVED TOWNSHIP

In terms of section 103 of the Town-planning and Townships Ordinance, 1986 (Ordinance No 15 of 1986), the City of Tshwane Metropolitan Municipality hereby declares the Township of Ninapark Extension 36 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Ninapark x36)

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY PRO DIRECT INVESTMENTS 130 (PROPRIETARY) LIMITED NR 2001/026104/07 UNDER THE PROVISIONS OF CHAPTER III: PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 637 (A PORTION OF PORTION 94) OF THE FARM WITFONTEIN 301JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Ninapark Extension 36.

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1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 12310/2004.

1.3 STORMWATER DRAINAGE AND STREET CONSTRUCTION

1.3.1 The township owner shall on request by the local authority submit to such authority for its approval a detailed scheme complete with plans, sections and specifications, prepared by a civil engineer approved by the local authority, for the collection and disposal of stormwater throughout the township by means of properly constructed works and for the construction, tar macadamising, kerbing and channelling of the streets therein together with the provision of such retaining walls as may be considered necessary by the local authority.

1.3.2 The township owner shall, when required by the local authority to do so, carry out the approved scheme at its own expense on behalf and to the satisfaction of the local authority under the supervision of a civil engineer approved by the local authority.

1.3.3 The township owner shall be responsible for the maintenance of the streets to the satisfaction of the local authority until the streets have been constructed as set out in subclause (b).

1.3.4 If the township owner fails to comply with the provisions of paragraphs 1.3.1, 1.3.2 and 1.3.3 hereof the local authority shall be entitled to do the work at the cost of the township owner.

1.4 ENDOWMENT

The township owner shall, in terms of the provisions of section 81 of the Town Planning and Townships Ordinance, 1986, pay a lump sum endowment of R190 000,00 to the local authority for the provision of land for a park (public open space).

1.5 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any, including the reservation of rights to minerals, but excluding:

1.5.1 the following conditions which shall not be passed on to the erven in the township:

"3(a) Entitled as a portion of the former remaining extent of portion "D" of portion of the aforesaid farm measuring as such 22,9016 hectares, to enforce the following condition against portion 90 (a portion of portion "D" of portion of the said farm), measuring 3,3843 hectares and held by Deed of Transfer No. 20909/1946 dated 13th July 1946 namely:

"No store or place of business or industry whatsoever may be opened upon the property without the written approval of Theophila Mary Ann Southcomb (born Dely) widow, or her successors in title to the remaining extent of portion "D" portion of the said farm Witfontein No. 301 measuring as such 22,9016 hectares held by her under Deed of Transfer No. 3725/1924 aforesaid."

(b) Entitled as a portion of the former remaining extent of portion "D" of portion of the said farm, measuring as such 34,8513 hectares to enforce the following condition against portion 91 (a portion of portion "D" of portion of the said farm) measuring 8,5653 hectares and held by Deed of Transfer No. 22952/1945 dated 17th September 1945 namely:

(i) Without the written consent of Theophila May Ann Southcomb (born Dely) widow, or her successors in title to the remaining extent of the said portion "D" of portion of the said farm, measuring as such 34,8513 hectares, as held by her under Deed of Transfer No. 3725/1924 dated 2nd May 1924, no pigs shall be kept upon the property except for the consumption of the owner or occupier, nor shall the number of pigs at any time kept thereof exceed six (6) except with such consent.

- (ii) Without the written consent of Theophila Mary Ann Southcomb (born Dely) widow or her successors in title to the remaining extent of the said portion "D" of the said farm, measuring as such 34,8513 hectares, as held by her under Deed of Transfer No. 3725/1924 dated 2nd May 1924, no active quarters, pit lavatories, boreholes, fowl runs or stables shall be erected or permitted upon the property within a distance of seventy-five (75) yards of its Northern boundary.
 - (iii) No Store or place of business or industry whatsoever may be opened upon the property without the written approval of Theophila Mary Ann Southcomb (born Dely) widow, or her successors in title to the remaining extent of the said portion "D" of portion of the said farm, measuring as such 34,8513, hectares as held by her under Deed of Transfer No. 3725/1924 dated 2nd May 1924.
 - (iv) The owner shall fence the Northern boundary of the property and maintain such fence in good order and repair.
- (c) Entitled, as a portion of the former remaining extent of portion "D" of portion of the aforesaid farm, measuring as such 14,3363 hectares, to enforce the following conditions against portion 92 (a portion of portion "D" of portion of the said farm), measuring 8,5653 hectares, held by Deed of Transfer No. 31288/1946 dated 11th October 1946, namely:
- (i) Without the written consent of Theophila Mary Ann Southcomb (born Dely) widow, or her successors in title to the remaining extent of the said portion "D" of portion of the said farm, measuring as such 14,3363 hectares as held by her under Deed of Transfer No. 3725/1924 dated 2nd May 1924 no pigs shall be kept upon the property except for the consumption of the owner or occupier; nor shall the number of pigs at any time kept thereon exceed six (6) except with such consent.
 - (ii) Without the written consent of Theophila Mary Ann Southcomb (born Dely) widow, or her successors in title to the remaining extent of the said portion "D" of portion of the said farm, measuring as such 14, 3363 hectares, as held by her under Deed of Transfer No. 3725/1924 dated 2nd May 1924, no native quarters, pit lavatories, boreholes, fowl runs or stables shall be erected or permitted upon the property within a distance of seventy-five (75) yards of its Northern boundary.
 - (iii) No store or place of business or industry whatsoever may be opened upon the property without the written approval of Theophila Mary Ann Southcomb (born Dely) widow, or her successors in title to the remaining extent of the said farm, measuring as such 14,3363 hectares, as held by her under Deed of Transfer No. 3725/1924 dated 2nd May, 1924.
 - (iv) The owner shall fence the Northern boundary of the property and maintain such fence in good order and repair.
- (d) Entitled as a portion of the former remaining extent of portion "D" of portion of the said farm, measuring as such 26,2860 hectares to enforce the following conditions against portion 93 (a portion of portion "D" of portion of the said farm), measuring 8,5653 hectares and held by Deed of Transfer No. 22953/1945 dated 17th September, 1945, namely:

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- (i) Without the written consent of Theophila Mary Ann Southcomb (born Dely) widow, or her successors in title to the remaining extent of the said portion "D" of portion of the said farm, measuring as such 26,2860 hectares, as held by her under Deed of Transfer No. 3725/1924 dated 2nd May 1924, no pigs shall be kept upon the property except for the consumption of the owner or occupier, nor shall the number of pigs at any time kept thereon exceed six (6) except with such consent.
- (ii) Without the written consent of Theophila Mary Ann Southcomb (born Dely) widow, or her successors in title to the remaining extent of the said portion "D" of portion of the said farm, measuring as such 26,2860 hectares, as held by her under Deed of Transfer No. 3725/1924 dated 2nd May 1924, no native quarters, pit lavatories, boreholes, fowl runs or stables shall be erected or permitted upon the property within a distance of seventy-five (75) yards of its Northern boundary.
- (iii) No store or place of business or industry whatsoever may be opened upon the property without the written approval of Theophila Mary Ann Southcomb (born Dely) widow, or her successors in title to the remaining extent of the said portion "D" of portion of the said farm, measuring as such 26,2860 hectares, as held by her under Deed of Transfer No. 3725/1924 dated 2nd May, 1924.
- (iv) The owner shall fence the Northern boundary of the property and maintain such fence in good order and repair.

1.5.2 the following Servitude which affect erven 1056 and 1057 in the township only:

- "4. Subject to a servitude for road purposes in favour of the City of Tshwane Metropolitan Municipality which servitude is 348 (Three Hundred and Forty Eight) square meters in extent and indicated by the figure ABCD on Diagram SG2196/2003 attached to Deed of servitude K1769/05S as will more fully appear from the said servitude."

1.6 LAND FOR MUNICIPAL PURPOSES

Erven 1096 and 1097 shall be transferred to the local authority by and at the expense of the township owner as parks.

1.7 ACCESS

No ingress from Provincial Road P106/1 to the township and no egress to Provincial Road P106/1 from the township shall be allowed.

1.8 ACCEPTANCE AND DISPOSAL OF STORMWATER

The township owner shall arrange for the drainage of the township to fit in with that of Road P106/1 and for all stormwater running off or being diverted from the road to be received and disposed of.

1.9 ERECTION OF FENCE OR OTHER PHYSICAL BARRIER

The township owner shall at his own expense, erect a fence or other physical barrier to the satisfaction of the Deputy Director-General, Roads Branch, as and when required by him to do so and the township owner shall maintain such fence or physical barrier in good order and repair until such time as this responsibility is taken over by the local authority: Provided that the township owner's responsibility for the maintenance thereof shall cease when the local authority takes over the responsibility for the maintenance of the streets in the township.

1.10 FILLING IN OF EXISTING EXCAVATIONS AND DONGAS

The township owner shall at his own expense cause the existing excavations and dongas affecting the township to be filled in and compacted to the satisfaction of the local authority, when required to do so by the local authority.

1.11 DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at his own expense cause all existing buildings and structures situated within the building line reserves, side spaces or over common boundaries to be demolished to the satisfaction of the local authority, when required by the local authority to do so.

1.12 REMOVAL OF LITTER

The township owner shall at his own expense cause all litter within the township area to be removed to the satisfaction of the local authority, when required by the local authority to do so.

1.13 OBLIGATIONS IN REGARD TO ESSENTIAL SERVICES

The township owner shall within such period as the local authority may determine, fulfil its obligations in respect of the provision of water, electricity and sanitary services and the installation of systems therefore, as previously agreed upon between the township owner and the local authority.

2. CONDITIONS OF TITLE

The erven mentioned hereunder shall be subject to the conditions as indicated imposed by the Local Authority in terms of the provisions of the Town-planning and Townships Ordinance, 1986.

2.1 ALL ERVEN WITH THE EXCEPTION OF THE ERVEN MENTIONED IN CLAUSE 2.6

2.1.1 The erf is subject to a servitude, 2m wide, in favour of the local authority, for sewerage and other municipal purposes, along any two boundaries other than a street boundary and in the case of a panhandle erf, an additional servitude for municipal purposes 2m wide across the access portion of the erf, if and when required by the local authority: Provided that the local authority may dispense with any such servitude.

2.1.2 No building or other structure shall be erected within the aforesaid servitude area and no large-rooted trees shall be planted within the area of such servitude or within 2m thereof.

2.1.3 The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works as it in its discretion may deem necessary and shall further be entitled to reasonable access to the said land for the aforesaid purpose subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other works being made good by the local authority.

2.2 ERVEN 1027, 1051, 1056 AND 1057

The erf is subject to a servitude for municipal purposes in favour of the local authority, as indicated on the general plan.

2.3 ERVEN 1022 TO 1028, 1051 AND 1056 TO 1062

The erf is subject to a servitude for road purposes in favour of the local authority, as indicated on the general plan. On submission of a certificate from the local authority to the Registrar of Deeds stating that the servitude is no longer required, this condition shall lapse.

2.3 ERVEN 1062

The erf is subject to a servitude of free access at all times in favour of the local authority.

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